

08/18/03

1734

PATENT
Attorney Docket No.: **GIA-001.01**
(23022-101)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Pittman, D. et al.

Serial No.: 10/023,451

Filed: December 17, 2001

Title: *Methods and Compositions for Diagnosing and
Treating Rheumatoid Arthritis*

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Group Art Unit: 1734

Examiner: To Be Assigned

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CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited on **August 15, 2003** with the United States Postal Service as Express Mail No. **EX 327720199** US in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


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**INFORMATION DISCLOSURE STATEMENT PARTIALLY BASED ON INTERNATIONAL
SEARCH REPORT IN A COUNTERPART PCT APPLICATION**

Sir:

The following references listed on the attached Form PTO-1449 are cited for consideration in examination of the above-identified patent application. The undersigned hereby certifies that the enclosed references listed as A1, B1, and C1-C8 on the attached Form PTO-1449 were cited in an International Search Report mailed from the International Searching Authority in a counterpart PCT application not more than three months prior to the filing of this Information Disclosure Statement. A copy of the Search Report and copies of non-previously cited references cited thereon are enclosed for the Examiner's convenience.

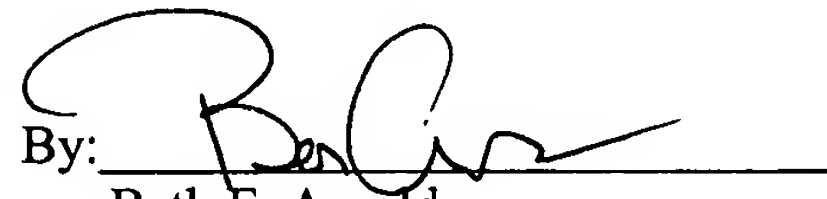
Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached Form PTO-1449.

This submission does not represent that a search has been made or that no better art exists. Nor does it constitute an admission that the listed documents are material or constitute "prior art." If the Examiner applies the cited publications as prior art against any claim in the application and Applicants determine that the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the said documents. Should the listed references be applied against the claims of the present application, Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents.

This Information Disclosure Statement is being filed within three months of the mailing date of the International Search Report and before a first Office Action on the merits; therefore, no fee is believed to be due in connection with the filing of this statement. However, the Commissioner is authorized to credit any overpayment or charge any deficiencies to/from our Deposit Account, **No. 06-1448, reference GIA-001.01.**

Respectfully submitted,

FOLEY HOAG LLP

By: 
Beth E. Arnold
Attorney for Applicants
Reg. No. 35,430

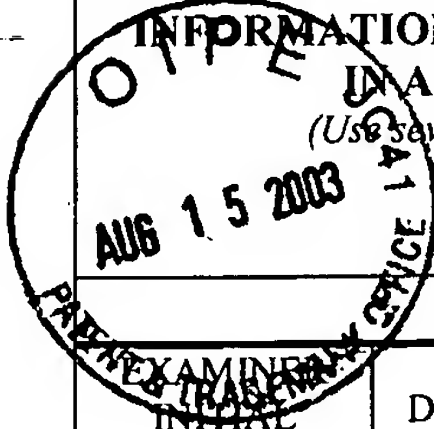
Dated: August 15, 2003

Customer No.: 25181

Patent Group
Foley Hoag LLP
155 Seaport Boulevard
Boston, MA 02210

Voice: (617) 832-1000
Facsimile: (617) 832-7000

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| Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary) | Docket Number (Optional) GIA-001.01 | Application Number 10/023,451 |
| | Applicant Pittman et al. | |
| | Filing Date December 17, 2001 | Group Art Unit 1734 |



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U.S. PATENT DOCUMENTS

| | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|----|-----------------|--------------|------------------|-------|----------|-------------------------------|
| A1 | 4,971,902 | 20 Nov. 1990 | Nepom, Gerald T. | 435 | 6 | |
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FOREIGN PATENT DOCUMENTS

| | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | Translation <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | |
|----|-----------------|--------------|---------|-------|----------|--|--|
| B1 | WO 97/04317 | 06 Feb. 1997 | PCT | | | | |
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OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages Etc.)

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|----|---|--|--|--|--|--|
| C1 | Kluve-Beckerman, B. et al. <i>Nonexpression of the Human Serum Amyloid A Three (SAA3) Gene</i> , DNA AND CELL BIOLOGY, vol. 10 (9), 1991, pp. 651-661. | | | | | |
| C2 | Kluve-Beckerman, B. et al., <i>Human SAA3 Cannot Be Involved in the Pathogenesis of Rheumatoid Arthritis</i> , ARTHRITIS AND RHEUMATISM, vol. 34(9 Suppl), 1991, p. S118. | | | | | |
| C3 | Klein U. et al., <i>Gene Expression Profiles of Normal Peripheral Human B-cell Subpopulations and B-cell Malignancies</i> , BLOOD, vol. 96(11, Part 1), 2000, p. 696a. | | | | | |
| C4 | Kumon, Y. et al., <i>Local Expression of Acute Phase Serum Amyloid A mRNA in Rheumatoid Arthritis Synovial Tissue and Cells</i> , JOURNAL OF RHEUMATOLOGY, vol. 26(4), 1999, pp. 785-790. | | | | | |
| C5 | Mangasser-Stephan, K. et al., <i>Identification of Human Semaphorin E Gene Expression in Rheumatoid Synovial Cells by mRNA Differential Display</i> , BIOCHEMICAL AND BIOPHYSICAL RESEARCH COMMUNICATIONS, vol. 234, pp. 153-156, 1997. | | | | | |
| C6 | Pap, T. et al., <i>Differential Expression Pattern of Membrane-Type Matrix Metalloproteinases in Rheumatoid Arthritis</i> , ARTHRITIS AND RHEUMATISM, vol. 43(6), pp. 1226-1232, 2000. | | | | | |
| C7 | Cunnane, G. et al., <i>Serum Amyloid A in the Assessment of Early Inflammatory Arthritis</i> , JOURNAL OF RHEUMATOLOGY, vol. 27(1), pp. 58-63, 2000. | | | | | |
| C8 | International Search Report dated May 15, 2003, for PCT/US01/48968, filed December 17, 2001. | | | | | |

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| EXAMINER | | DATE CONSIDERED |
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.